

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI

UNITED STATES OF AMERICA

Plaintiff,

-vs-

Criminal Action No.
23-00203-01-CR-W-HFS

DALE D. MITCHELL, JR.,
Defendant.

**MEMORANDUM OF MATTERS DISCUSSED AND
ACTION TAKEN AT PRETRIAL CONFERENCE**

The following matters were discussed and action taken during the pretrial conference:

PENDING CHARGE: Count One Felon in Possession of a Firearm, *in violation of*
18 U.S.C. §§ 922(g)(1) and 924(a)(8)

TRIAL COUNSEL:

Government: Ashleigh Ragner

Case Agent: Kansas City, Missouri Police Department Detective Jeremy Gragg

Defense: Bob Kuchar; Investigator Mark Wolpink will assist

OUTSTANDING MOTIONS:

- Motion for Bench Trial (Doc. 58), *response due 7/25/24*
- Motion for Reconsideration on Motion to Dismiss (Doc. 61), *response due 7/30/24*
- Motion to Continue Trial Setting (Doc. 62)
- Second Motion to Withdraw as Attorney (Doc. 63)
- *Pro Se* Motion for Substitute Counsel (Doc. 68)

ANTICIPATED MOTIONS: None

TRIAL WITNESSES:

Government: 6 with stipulations; 7 without stipulations

Defense: No additional witnesses; Defendant will not testify

TRIAL EXHIBITS:

Government: 50 exhibits

Defense: No additional exhibits

DEFENSES:

(x) defense of general denial

() defenses of general denial and _____

POSSIBLE DISPOSITION:

- () Definitely for trial (x) Likely for trial
() Motion to continue to be filed () Likely a plea will be worked out

TRIAL TIME:

Government: 1 day for bench trial; 2 days for jury trial
Defense: No additional time beyond that estimated by Government

STIPULATIONS:

- () not likely
() not appropriate
(x) likely as to:
 () chain of custody
 () chemist's reports
 (x) prior felony conviction
 () interstate nexus of firearm

UNUSUAL QUESTIONS OF LAW: Motion for Reconsideration (Doc. 61), based on recent decision in *United States v. Rahimi*, 602 U.S. --, 144 S. Ct. 1889 (2024).

FILING DEADLINES:

Witness and Exhibit Lists:

Government: July 29, 2024

Defense: July 29, 2024

Counsel are requested to list witnesses in alphabetical order on their witness list.

Exhibit Index, Voir Dire, Jury Instructions: July 29, 2024

Jury instructions must comply with Local Rule 51.1

Motions in Limine: July 29, 2024

TRIAL SETTING: Criminal jury trial docket commencing August 12, 2024

Please note: No conflicts identified.

OTHER:

- () A _____-speaking interpreter is required.
() Other assistive devices: _____

IT IS SO ORDERED.

/s/ Jill A. Morris
JILL A. MORRIS
United States Magistrate Judge